



12/27/2021

Adam Gitter, Village Administrator
204 First St.
Kewaskum, WI 53040

Subject: Conditional approval of a multi-discharger phosphorus variance
Receiving Stream: Milwaukee River in Washington County
Permittee: Village of Kewaskum, WPDES WI-0021733

Dear Mr. Gitter:

In accordance with s. 283.16 of the Wisconsin Statutes, you have requested coverage under Wisconsin's multi-discharger phosphorus variance for the Village of Kewaskum Wastewater Treatment Facility in an application dated 09/29/2021. Wisconsin's multi-discharger phosphorus variance was approved by EPA on February 6, 2017. Coverage under the multi-discharger phosphorus variance may only be granted to an existing source that demonstrates a major facility upgrade is necessary to achieve phosphorus compliance and the upgrade will result in economic hardship as defined in the federally approved variance. The water quality criterion for which you are seeking a variance is contained in s. NR 102.06, Wis. Adm. Code.

After review of the application materials, the Department is tentatively approving coverage under the phosphorus multi discharger variance because the applicant has demonstrated that a major facility upgrade would be required to comply with the phosphorus water quality based effluent limitation, and the applicant meets the economic hardship eligibility criteria delineated in the federally approved variance. In addition, the permitted facility has agreed to comply with the interim limitations that will be included in the WPDES permit, and has agreed to reduce the amount of phosphorus entering surface waters by making payments to the counties pursuant to s. 283.16(6)(b)1., Wis. Stats.

Public comment on this decision will be solicited at the time of modification after which a final decision will be made. The Department appreciates your attention and interest in Wisconsin's multi-discharger phosphorus variance. Should you have further questions regarding this matter, please contact me at matthew.claucherty@wisconsin.gov.

Sincerely,

Matt Claucherty, MDV Point Source Coordinator
Bureau of Water Quality

e-cc Eric Paulus, Operator in Charge
 Laura Dietrich, WDNR
 Nick Lent, WDNR
 Tim Elkins, EPA Region 5
 Sydney Weiss, EPA Region 5
 Micah Bennett, EPA Region 5